

MARCH 9, 2010

NOTICE

There will be a meeting of the **Criminal Justice Committee** of the Board of Commissioners of Cook County on **Tuesday, March 16, 2010** at the hour of **9:00 A.M.** in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois to consider the following:

- 304533 A RESOLUTION TO CONDUCT A FEASIBILITY STUDY FOR ESTABLISHING A REVOLVING BOND LOAN FUND (PROPOSED RESOLUTION) Submitting a Proposed Resolution sponsored by Earlean Collins, County Commissioner.

PROPOSED RESOLUTION

WHEREAS, Cook County is a home rule unit of local government pursuant to Article 7, Section 6(a) of the Illinois Constitution of 1970 with power to regulate those matters which pertain to its governmental affairs; and

WHEREAS, Cook County is committed to public safety and maintaining compliance with the Federal court's Duran Decree at Cook County Jail; and

WHEREAS, the constant increase in crime due to the rapid increase in unemployment coupled with the thousands of former inmates released from prison without any job opportunities or skills to provide a living for themselves pose serious challenges to the Cook County budget to carry out our mission; and

WHEREAS, Cook County Jail has an overwhelming number of detainees who are awaiting trials for minor charges who pose no real flight risk or harm to themselves or others; and

WHEREAS, such detainees could be diverted to alternative monitoring systems outside of Cook County Jail; and

WHEREAS, when inmates are housed in Cook County Jail they lose all of their health benefits and Cook County has to shoulder the burden of the cost for health, security and other necessities which is putting a serious strain on our budget in addition to keeping Cook County from maintaining compliance with the decree; and

WHEREAS, the County will be more financially responsible if they established a Revolving Loan Fund which would loan bond amounts to persons arrested for minor crimes. Qualified persons must be employed at time of arrest, with a good work history, agree to continue to work to enter into a payback agreement plan that would allow payments of the loan to be deducted from their employment checks and sent directly to the loan fund.

NOW, THEREFORE, BE IT RESOLVED, that the President and the Cook County Board of Commissioners conduct a feasibility study for establishing a Revolving Bond Loan Fund for qualified arrestees awaiting trial in order to eliminate the cost of housing them in jail and to ensure public safety.

***REFERRED TO THE COMMITTEE ON CRIMINAL JUSTICE 1/12/10.**

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304534 AN AMENDMENT TO THE SUBSTITUTE ORDINANCE OF THE COOK COUNTY JAIL DIVERSION PILOT PROGRAM FOR ADULTS AND YOUTH (PROPOSED ORDINANCE AMENDMENT). Submitting a Proposed Ordinance Amendment sponsored by Earlean Collins, County Commissioner.

The following is a synopsis of the Proposed Ordinance Amendment:

PROPOSED ORDINANCE AMENDMENT

**AMENDMENT TO THE SUBSTITUTE ORDINANCE
COOK COUNTY JAIL DIVERSION PILOT PROGRAM FOR ADULTS AND
YOUTH**

ARTICLE I. GENERAL PROVISIONS

Section 1.1 Short Title.

Section 1.2 Preamble.

WHEREAS, the County of Cook is a home rule unit of government as defined in Article VII, Section 6(a) of the 1970 Constitution of the State of Illinois, and as such may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, Cook County has an ongoing responsibility for protecting the health and safety of its residents and remains committed to public service that is efficient, equitable and accountable; and

WHEREAS, approximately 15% of the jail population is diagnosed with mental illness and if coupled with the population suffering with substance abuse disorder the number increases to approximately 60%. The rate of recidivism for those not receiving service intervention ranges from 60-70%; and

WHEREAS, for each non-violent offender who is diverted from incarceration Cook County saves an estimated \$1,800 per month by avoiding the cost of prosecution and court expenses not including the cost of healthcare; and

WHEREAS, it has been documented that the number of arrests, the length of jail time, as well as hospital stays among the mentally ill are substantially reduced when diversionary measures are employed that provide appropriate assessment and treatment as an alternative to incarceration; and

WHEREAS, some diversionary methods are currently employed and among the most successful are the Mental Health court, the Drug Court, the Juvenile Delinquency Screening Diversion and small programs initiated at some of Chicago's local police districts; and

WHEREAS, the establishment of a Cook County Jail Diversion Pilot Program, in partnership with the State of Illinois, local law enforcement, and community based mental health and social service providers, will reduce Cook County's jail population and improve the quality of mental healthcare in Cook County.

NOW THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND COOK COUNTY BOARD OF COMMISSIONERS TO ESTABLISH A COOK COUNTY JAIL DIVERSION PILOT PROGRAM FOR MENTALLY ILL AND/OR MENTALLY ILL WITH CO-OCCURRING SUBSTANCE ABUSE DISORDER ARRESTEES.

ARTICLE II. DEFINITIONS.

- Section 2.1 Definitions**
- Section 3.1 Purpose**
- Section 3.2 Scope of Program**
- Section 3.3 Target Population**
- Section 3.4 Eligibility**
- Section 3.5 Types of Jail Diversion Programs**

ARTICLE IV. PROGRAM PREREQUISITES

- Section 4.1 Intergovernmental Agreement - Memorandum of Understanding**
- Section 4.2 Funding**

ARTICLE V. ADVISORY PANEL

- Section 5.1 Purpose**
- Section 5.2 Structure**
- Section 5.3 Responsibilities of Advisory Panel**

ARTICLE VI. ESTABLISHMENT OF DATABASES

- Section 6.1 Establishment of Databases**

ARTICLE VII. EVALUATIONS

- Section 7.1 Police Evaluations**
- Section 7.2 Performance Measurement Standards**

ARTICLE VIII. APPLICABILITY

ARTICLE IX. SEVERABILITY

ARTICLE X. EFFECTIVE DATE

- Section 10.1 Effective Date.**

***REFERRED TO THE COMMITTEE ON CRIMINAL JUSTICE 1/12/10.**

- 304536 AN AMENDMENT TO THE CANNABIS POSSESSION ORDINANCE (PROPOSED ORDINANCE AMENDMENT). Submitting a Proposed Ordinance Amendment sponsored by Earlean Collins, County Commissioner.

PROPOSED ORDINANCE AMENDMENT

CANNABIS POSSESSION

BE IT ORDAINED, by the Cook County Board of Commissioners that Chapter 58, Offenses and Miscellaneous Provisions, Article VI, Offenses Against Public Peace, Section 58-170 of the Cook County Code is hereby amended as follows:

ARTICLE VI. OFFENSES AGAINST THE PUBLIC PEACE

Sec. 58-170. Possession of cannabis.

(a) *Definitions.* All terms and phrases used herein shall have the same meaning as ascribed to them in the Cannabis Control Act (720 ILCS 550/1 et seq.); except the term "person" is limited to natural persons who have attained the age of seventeen (17) years or more.

(b) *Offense of possession of cannabis.* A person commits the offense of possession of cannabis within the unincorporated area of Cook County or areas of enforcement by the Cook County Sheriff's Office by knowingly possessing ten (10) grams or less of any substance containing cannabis unless permitted or authorized to do so pursuant to the Cannabis Control Act (720 ILCS 550/1 et seq.).

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- (c) *Violations, Penalties.*
- (1) Any person violating subsection (b) shall be subject to a mandatory fine of not less than two hundred dollars (\$200.00).
- (2) Any motor vehicle which is used in any manner to facilitate the possession of cannabis in violation of subsection (b) shall be subject to seizure and impoundment pursuant to Section 58-164.
- (d) *Administrative adjudication.* Any person issued a notice of violation for violation of subsection (b) of this Section may request an administrative hearing in accordance with Chapter 2 Administration, Article IX, Administrative Hearings of this Code.

***REFERRED TO THE COMMITTEE ON CRIMINAL JUSTICE 1/12/10.**

Matthew B. DeLeon, Secretary

Chairman: Collins
Vice-Chairman: Beavers
Members: Committee of the Whole